

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU03/00229

A. CLASSIFICATION OF SUBJECT MATTER		
Int. Cl. ⁷ A61F 11/04		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols)		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)		
DWPI and keywords: cochlea and implant and electrode and insert and similar terms		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5442493 A (BYERS et al.) 22 August 1995 Column 3 lines 50 to 66 Column 4 lines 54 to 66	42,43,46
X	US 6125302 A (KUZMA) 26 September 2000 Column 7 lines 44 to 62	1-4,6,35, 38,42,46
X	US 6070105 A (KUZMA) 30 May 2000 Figure 2D	49
A	Column 4 lines 31 to 55	1
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex		
* Special categories of cited documents		
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	
"B" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	
"O" document referring to an oral disclosure, use, exhibition or other means	"Z" document member of the same patent family	
"P" document published prior to the international filing date but later than the priority date claimed		
Date of the actual completion of the international search 10 April 2003	Date of mailing of the international search report 5 - MAY 2003	
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. (02) 6283 3929	Authorized officer D. Melhuish DAVID MELHUISE Telephone No. (02) 6283 2426	

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 99/71063 A1 (COCHLEAR LIMITED) 30 November 2000 Whole document	1
A.	US 4488561 A (DORING) 18 December 1984 Column 3 line 50 to column 4 line 6	1

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Box I Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos :
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos :
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos :
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. Claims 1 to 46 directed to methods and devices for implanting an electrode array.
2. Claims 47 and 48 directed to a cartridge member for an electrode array.
3. Claim 49 directed to an electrode array with a straightening member.

As reasoned on the extra sheet.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-46, 49

Remark on Protest:

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

Continuation of Box No: II

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1 to 46 are directed to methods and devices for implanting an electrode array into a body by advancing the array while simultaneously removing a straightening member from the array. It is considered that simultaneous removal of the straightening member comprises a first "special technical feature".
2. Claims 47 and 48 are directed to a cartridge member for an electrode array including a window to enable the user to view the array. It is considered that the window comprises a second "special technical feature".
3. Claim 49 is directed to an electrode array with a straightening member, the straightening member including a spherical, hemispherical or arrow shaped member. It is considered that the spherical, hemispherical or arrow shaped member comprises a third "special technical feature".

Since the abovementioned groups of claims do not share any of the technical features identified, a "technical relationship" between the inventions, as defined in PCT rule 13.2 does not exist. Accordingly the international application does not relate to one invention or to a single inventive concept, a priori.

However inventions 1 and 3 may be searched together without significant extra effort.

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Information on patent family members

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Documents Cited in Search Report			Patent Family Member			
US	5443493	NONE				
US	6125302	AU 92074/98	CA 2302667	EP 1009475		
		US 6038484	US 6045993	US 6070105		
		WO 99/11321	US 6266568			
US	6070105	AU 92074/98	CA 2302667	EP 1009475		
		US 6038484	US 6045993	US 6266568		
		WO 99/11321				
WO	200071063	AU 40241/99	EP 1189560	US 6421569		
		US 2002029074				
US	4488561	CA 1240369	EP 129875			
						END OF ANNEX